IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

FIRST APPEAL NO. 2186 OF 2005

The State of Maharashtra..... Appellant.

Versus

Bhika Balu Mane... ..... Respondent.

Mr. B. H. Mehta, AGP for the Appellant.

None for the Respondent.

CORAM : ANOOP V. MOHTA, J.

DATED : 20TH DECEMBER, 2005.

P.C.:

This first appeal is filed by the State of Maharashtra whereby a challenge is made to the grant of enhanced compensation of Rs.4,000/- and all other consequential reliefs on the said amount.

2. Heard learned Assistant Government Pleader appearing for the appellant. Without observing anything on merits of the matter, prima facie, I am of the view that for this small amount, there is no point in entertaining the present first appeal.

Particularly, in view of the decision of the Supreme Court in **ONGC Ltd. v/s Sendhabhai Vastram Patel & others** ((2005) 6 SCC 454) whereby the Apex Court declined to interfere since the financial implication involved was of only few thousand rupees. In the present case also the amount involved is only of Rs.4,000/-. Even otherwise, there is no perversity as such which can be said to be sufficient to interfere with the reasoned order passed by the Civil Judge (Senior Divison), Ratnagiri. The view taken is the pausible view based on the material available on the record. I am, therefore, not inclined to interfere with the finding arrived at by the court below.

3. In the fact and circumstances of the case, the first appeal is dismissed.

Sd/-

(ANOOP V. MOHTA,J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO. 5525 of 2005

IN

FIRST APPEAL NO. 2186 OF 2005

The State of Maharashtra..... Appellant.

Versus

Bhika Balu Mane... ..... Respondent.

Mr. B. H. Mehta, AGP for the Appellant.

None for the Respondent.

CORAM : ANOOP V. MOHTA, J.

DATED : 20TH DECEMBER, 2005.

P.C.:

In view of the dismissal of the first appeal itself, this civil application does not survive and is disposed of as such.

Sd/-

(ANOOP V. MOHTA,J.)